

In re the marriage of:

JOINT PETITIONER (WIFE)

and

JOINT PETITIONER (HUSBAND)

(Mark only one with an X)

☐ STATE OF WISCONSIN is NOT a party

☐ STATE OF WISCONSIN IS a party

Joint Petition

With Minor Children

Case # _____

(Mark only one with an X)

☐ Divorce-40101

☐ Legal Separation-40201

I. We are petitioning the court for relief, and are giving the following information:

1. JOINT PETITIONER-WIFE

Full name

(First) (M.I.) (Last)

Social Security Number

_____-_____-_____
(Last four digits)

Date of Birth

_____, 19_____
(Month) (Day) (Year)

Address

_____, Apt #_____
(Street Address)

_____, _____
(City) (State) (ZIP Code)

Occupation

(Job Title)

2. JOINT PETITIONER-HUSBAND

Full name

(First) (M.I.) (Last)

Social Security Number

_____-_____-_____
(Last four digits)

Date of Birth

_____, 19_____
(Month) (Day) (Year)

Address

_____, Apt #_____
(Street Address)

_____, _____
(City) (State) (ZIP Code)

Occupation

(Job Title)

3. PETITIONERS were married on _____, _____, _____
(Month) (Day) (Year).
PETITIONERS were married in _____, _____
(City) (State)

4. List the names, dates of birth, and social security numbers of all children born to or adopted by the JOINT PETITIONERS during your marriage or relationship, **and** other children born to the wife during the marriage. Mark an **X** in the box on the left if the husband is **NOT** believed to be the biological father of that child(ren).

Name	Birth date	Soc. Sec. Number
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____
<input type="checkbox"/> _____ (First) (M.I.) (Last)	____/____/____ (Mo) (Day) (Yr)	____-____-____

5. Mark only one with an **X**.
☐ To the best of our knowledge, the wife is **not** currently pregnant.
☐ To the best of our knowledge, the wife **is** currently pregnant and husband ☐ **is** ☐ **is NOT** the biological father.

6. Mark only one with an **X**.
☐ **BOTH PETITIONERS** ☐ **The WIFE** ☐ **The HUSBAND**, have/has lived in Waukesha County for more than thirty (30) days before the filing of this case.

7. Mark only one with an **X**.
☐ **BOTH PETITIONERS** ☐ **The WIFE** ☐ **The HUSBAND** have/has lived in the State of Wisconsin for more than six (6) months before the filing of this case.

8. ☐ **The marriage is irretrievably broken.**
☐ The marriage **is** broken. We are jointly filing for a Legal Separation because: _____

9. Mark all that apply with an **X**.
☐ Neither PETITIONERS have ever before filed for divorce or legal separation from each other in Wisconsin or any other state.

☐ The WIFE has filed for divorce from this marriage before.

The WIFE filed for divorce in _____, _____
(City) (State)

The case number was _____
The case was dismissed on _____, _____, _____
(Month) (Day) (Year)

☐ The HUSBAND has filed for divorce from this marriage before.

The HUSBAND filed for divorce in _____, _____
(City) (State)

The case number was _____
The case was dismissed on _____, _____, _____
(Month) (Day) (Year)

10. Mark all that apply with an **X**. If you do not know the answer, write in unknown.

☐ NEITHER PETITIONERS have been married before to each other or anyone else.

☐ The WIFE was married before to _____

(Name)
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____, _____, _____
(Month) (Day) (Year)

The divorce was granted in _____, _____
(City or County) (State)

☐ The HUSBAND was married before to _____

(Name)
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____, _____, _____
(Month) (Day) (Year)

The divorce was granted in _____, _____
(City or County) (State)

Do you have additional marriages to report?

☐ No ☐ Yes (Report additional marriages on page 7 and return to #11)

11. According to Wisconsin Statute 840.10, the court will need to confirm or change the ownership of all real estate owned by the PETITIONERS: List addresses of all real estate (house, lot, hunting cabin, vacant land, timeshare, etc.). If you do not own real estate, write **NA** on the line below. (Use a separate page to report additional real estate)

_____, _____, _____
(Street Address) (City) (State) (ZIP Code)

_____, _____, _____
(Street Address) (City) (State) (ZIP Code)

☐ Additional real estate to report.

12. Mark only one with an X.
☐ **We have** ☐ **We do not have** any written agreement that relates to child support, legal custody of the child(ren), maintenance of either party, or property division. **If there is a written agreement, attach a copy.**
13. Mark only one with an X.
☐ **Both PETITIONERS are** ☐ **The WIFE is** ☐ **The HUSBAND is** the only fit and proper person(s) to have the care, legal custody, and placement of the minor child(ren).

II. In compliance with Wisconsin Statute 822.09, I (the PETITIONER) state:

1. The minor child(ren) currently live with, (Mark only one with an X)
☐ BOTH PETITIONERS ☐ WIFE ☐ HUSBAND
☐ OTHER PERSON (name) _____
(At this address) _____

☐ Additional information is attached.
2. Within the last five years, the minor child(ren) have lived with, (Mark only one with an X)
☐ BOTH PETITIONERS ☐ WIFE ☐ HUSBAND
☐ OTHER PERSON (name) _____
(At these addresses) _____

☐ Additional information is attached.

If any of the following statements are not completely accurate you must change the words to correct them.

3. We have not previously participated as parties, witnesses, or in any other capacity or court case concerning the custody of the above-named child(ren) in Wisconsin or any other state.
4. We are unaware of any other custody proceeding concerning the minor child(ren) in a court of Wisconsin or any other state.
5. We know of no other person who has physical custody of the minor child(ren) or claims to have legal custody, physical placement, or visitation rights with respect to the above-named child(ren).
6. We understand that it is our responsibility to inform the court of any custody proceedings started, concerning the child(ren), in Wisconsin or any other state.

III. WE REQUEST THE FOLLOWING FROM THE COURT:

A. (Mark only one in Section A with an **X**)

- ☐ Absolute divorce
☐ Legal Separation

B. (Mark all that apply in Section B with an **X**)

- ☐ A division of our property

Order granting (Mark all that apply with an **X**)

- ☐ **BOTH PETITIONERS** joint legal custody of the minor child(ren)
☐ **WIFE** ☐ **HUSBAND** sole legal custody of the minor child(ren)

Order allocating (Mark only one with an **X**)

- ☐ Periods of physical placement between **BOTH PETITIONERS**
☐ **WIFE** ☐ **HUSBAND** primary physical placement of the minor child(ren)

- ☐ **BOTH PARTIES** ☐ **WIFE** ☐ **HUSBAND** to pay support of the minor child(ren)

- ☐ **BOTH PARTIES** ☐ **WIFE** ☐ **HUSBAND** to pay maintenance

- ☐ Other remedies we are entitled to

- ☐ Restoration of ☐ **BOTH PARTIES'** ☐ **WIFE'S** ☐ **HUSBAND'S** name to one used before

RESTRAINING ORDER

IT IS THE ORDER OF THE COURT THAT, according to sec. 767.087, Wis. Stats., neither spouse can participate in any of the following activities while this divorce is pending, and if either of does, they may be held in contempt of court.

1. Harassing, intimidating, physically abusing or imposing any restraint on the personal liberty of the other party or a minor child of either of the parties.
2. Encumbering, concealing, damaging, destroying, transferring, or in any other way disposing of property owned by either or both of the parties, without the consent of the other party or an order of the court or the Family Court Commissioner, except in the usual course of business, in order to secure necessities or in order to pay reasonable costs and expenses of the action, including attorney fees.
3. Establishing a residence with a minor child of the parties outside the state of Wisconsin or more than 150 miles from the residence of the other party within the state without the consent of the other party or an order of the court or Family Court Commissioner.

-
4. Removing a minor child of the parties from the state of Wisconsin for more than 90 consecutive days without the consent of the other party or an order of the court or family court commissioner.
 5. Concealing a minor child of the parties from the other party without the consent of the other party or an order of the court or Family Court Commissioner.

Except that a violation of paragraphs 3, 4, or 5 above is not a contempt of court if the court finds that the action was taken to protect a party or a minor child of the parties from physical abuse by the other party and that there was no reasonable opportunity under the circumstances for the party to obtain an order authorizing the action.

These **RESTRAINING ORDERS** apply until the action is dismissed, a final judgment in the action is entered, or the court orders otherwise.

A VIOLATION OF THE ABOVE RESTRAINING ORDERS MAY RESULT IN PUNISHMENT FOR CONTEMPT, WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT, AND OTHER SANCTIONS AS PROVIDED FOR IN SEC. 785.04 STATS.

WIFE's Signature

Dated: _____
(Month) (Day) (Year).

HUSBAND's Signature

Dated: _____
(Month) (Day) (Year).

ADDITIONAL MARRIAGES

WIFE

- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)
- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)
- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

HUSBAND

- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)
- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)
- ☐ Was married before to _____
The marriage was terminated by ☐ Divorce ☐ Annulment ☐ Death
Date of divorce, annulment, or death _____
The divorce was granted in _____,
(City or County) (State)

Continue on page 3, paragraph #11